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C O N F I D E N T I A L SECTION 01 OF 02 MADRID 004147

SIPDIS

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TAGS: [PGOV](#) [PREL](#) [CASC](#) [SP](#)

SUBJECT: AMBASSADOR MEETS MINISTER OF JUSTICE TO DISCUSS
LAW ENFORCEMENT AND TIP ISSUES

Classified By: Political Counselor Kathy Fitzpatrick; reason 1.5 (B) and (D).

1. (C) Summary. The Ambassador met with Minister of Justice Juan Fernando Lopez Aguilar on October 21 to discuss law enforcement issues, including counterterrorism cooperation, trafficking in persons, and Mutual Legal Assistance and Extradition treaties (MLAT). The Ambassador stressed the USG's interest in highlighting the good ties between the U.S. and Spain, particularly on law enforcement issues. Aguilar agreed on the importance of working together to combat all forms of international crime and described the level of USG cooperation with the Ministry of Justice (MOJ) as "excellent." Asked how cooperation could be improved, Aguilar said the GOS would like to see more timely responses to GOS requests for USG information in GOS counterterrorism investigations. He said the GOS is committed to combating trafficking in persons. On other matters, Aguilar discussed the Zapatero Government's conflict with the Catholic Church on a range of GOS social initiatives and said he was amazed by the growth of Protestant and other non-traditional denominations in Spain. Aguilar is among the most positive of Zapatero's officials towards the USG and is well placed to help us on security matters. End Summary.

2. (C) The Ambassador and DCM met with Justice Minister Aguilar to discuss a range of law enforcement issues. The Ambassador thanked Aguilar for Spain's high level of cooperation with the USG on law enforcement issues, including in the fight against terrorism. The Ambassador expressed the USG's appreciation for the Spanish Attorney General's proposal to begin talks with the USG on the formation of a joint counterterror investigation team. Aguilar agreed with the Ambassador on the importance of strong bilateral cooperation on law enforcement issues, describing the level of USG agencies' cooperation with their Spanish counterparts as "excellent."

//TRAFFICKING IN PERSONS//

3. (C) The Ambassador underlined the importance to the USG of combating trafficking in persons (TIP), noting that the Embassy had received significant cooperation from GOS contacts in preparing the 2003 TIP report. Aguilar said the GOS understands the scope of the TIP problem in Spain and is committed to dismantling TIP networks. He said he had been aware of the problems of East European victims discussed in the TIP report, but was surprised by the number of African prostitutes making their way to Spain via Maghrebi smuggling routes. The DCM said the USG found government statistics related to TIP a particularly useful tool for gauging international trafficking patterns. Aguilar said GOS would gladly share TIP statistics with the Embassy.

//LAW ENFORCEMENT COOPERATION//

4. (C) Aguilar and the Ambassador discussed upcoming talks in Madrid between USG and GOS legal officials to work out the final details of the bilateral protocol to the Multilateral Extradition and Legal Assistance treaties (MLAT). Aguilar remarked on the continuing political sensitivity for Spanish authorities on extraditions related to death penalty cases. He nonetheless assured the Ambassador that the MLAT discussions were on track from the Spanish perspective and that all pending issues would be resolved in the late November or early December meeting of bilateral legal experts. The Ambassador asked whether Spain has replaced its Central Authority for enforcement of the Hague Convention on Parental Child Abduction, a pending issue of importance to our Mission. Aguilar provided the name of the official in the Ministry of Justice who oversees the Central Authority, but indicated the position has not yet been filled.

5. (C) The Ambassador asked what the USG could do better in terms of law enforcement cooperation. After consulting briefly with his aides, Aguilar said the GOS would like a more timely response from USG agencies on Spanish requests for information related to counterterrorism investigations. (NOTE: This stems from complaints by some Spanish officials, notably high-profile judge Baltasar Garzon, that the USG is "impeding" Spanish investigations by not making intelligence information available to Spanish prosecutors for use in court. This is likely to remain a point of contention, especially in cases where GOS police lack information that can be used in court. END NOTE). However, Aguilar did not

press the issue and stressed Spain's overall satisfaction with the level of USG cooperation.

//RISING IMPORTANCE OF NON-TRADITIONAL RELIGIONS//

16. (C) Switching from law enforcement matters to GOS relations with religious organizations (which also falls under the purview of the Ministry of Justice), Aguilar defended the Zapatero Government's initiative to reduce the influence of the Catholic Church and to decrease some of the government benefits enjoyed by the Church but not by other denominations. He said accusations that Zapatero was anti-Catholic Church were unfair; the GOS wants a truly secular state without providing special advantages to any particular group. Aguilar said Spain's religious demography was vastly more complex than in the past, noting the impressive rise of Protestant churches, Mormon congregations, and, most recently, the opening of a Church of Scientology center in downtown Madrid.

//BIOGRAPHIC NOTES//

17. (C) Aguilar was born in 1961 in the Canary Islands. Within the PSOE, Aguilar has served as Assistant Spokesman (1993-1998), as a member of the party's Executive Committee, and as an election coordinator. He was one of the PSOE negotiators in security discussions with the Popular Party that resulted in the PSOE/PP Anti-Terrorist Pact. He holds a masters degree from the University of Granada, a law degree from the University of Bologna, and was chair of the School of Constitutional Law at the University of Las Palmas. Aguilar also received a degree from the Fletcher School of Law and Diplomacy, spending two years in the U.S. during his studies. He is friendly towards the USG and will likely be a useful interlocutor on law enforcement issues throughout his tenure as Minister.

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